## THE CITY RAILROAD QUESTION.

SPECIAL LEGISLATION WRONG. REPORT OF SENATOR HALSTED.

IN SENATE, March 3, 1859.

BEFORT OF THE MAJORITY OF THE COMMITTEE ON CITIES AND VILLAGES, IN RELATION TO THE BILL AUTHORIZING THE CONSTRUCTION OF A RAILROAD IN NEW-YORK CITY, AC.

Mr. Halsted, from the majority of the Committee on Cities and Villages, to which was referred the hill ensitled "An act to authorize the construction of a railroad in the Seventh avenue, and through portions of eertain streets in the City of New-York," submits

the following repert:

The bill in question authorizes George H. Kelsey and others, and their associates, successors and assigns to lay, construct, operate and use a railroad with a double track (or single track in some parts of the route) as follows: Commencing at the southern extremity of the Central Park, thence through Seventh Caren with a yearne. Sixth avenue, Fourth-st. wooster, Canal, West Broadway, Barclay, Greenwich Wooster, Canal, West Broadway, Barclay, Greenwich street to Battery place; and thence returning through Barclay, Charch, Canal, Greene, and Eighth streets, Greenwich avenue and Seventh avenue to the point o beginning; also from the foot of the Central Park through Fifty-ninh street to Fifth avenue, and up Fith avenue to One hundred and tenth street. I provides for the construction of the proposed road upon the most approved plan of city railroads, make prevides for the construction of the proposed road upon the most approved plan of city railroads; makes it subject, in respect to rules and regulations pertaining to the licensing of cars, to the ordinances of the Common Council of the City of New-York; prohibits any higher rate of fare than is charged on other railreads in the city, and empowers the associate, upon complying with certain conditions respecting compensation and payment, to use existing railroad tracks. No consent of the Corporation of the City of New-York, or of the citizens, or of the owners of property on the line of the proposed road, is required; and, by on the line of the proposed road, is required; and, by express terms, the act of April 4, 1834, "relative to "the construction of railroads in cities," which requires the consent of a majority in interest of the property owners on the route of any city railroad, as a prerequisite of its construction, is made inapplicable to the proposed road.

Nor does the bill contain any provisions requiring

Nor does the bill contain any provisions requiring compensation for the franchise which it vests in the associates, either to the inhabitants of the city, or to the owners of property on the line of the road, or to the Corporation, or to the State.

The franchise proposed to be granted by this bill is one of much value. It is a right of railway through important streets and avenues, traversing the entire length of the City of New York, and including in its route some of its most densely populated districts, and most important business centers of the metropolis; and it appropriates to the use of the associates, their and its appropriates to the use of the associates, their most densely proposed to the extraction of the control of th and it appropriates to the use of the associates, their successors and assigns, so much of these streets and avenues as is necessary for the enjoyment of this right. It is manifest that before any Legislature could, with propriety, confer, and that gratuitously, upon a tew private individuals, however respectable and enterprivate individuals, however respectable and enterprising, special privileges, which will affect the property and interests of great numbers of their fellow-citizens, irrespective of their consent, it should be made clearly apparent that some existing public necessity, or some paramount consideration of public beneat, requires and justifies the act. The question presented at the outset, by the present bill, is not so mach, le it proper and expedient for the Legislature to grant permission to individuals to construct and operate railroads in the City of New-York? but, is it proper and expedient to grant such permission, by special acts of incorporation, without reference to the will or consent of these who are most immediately concerned in the result, and without compensation or payment of any kitd?

No one could for a moment sanction a legislative

ment of any kind?

No one could for a moment sanction a legislative grant of valuable property or franchise, to a private individual, for purposes of gain, without some adequate consideration. The people of this State, by the express provisions of their fundamental law, and by legislative enactments in accordance with its directions of the property tions, have declared their aversion to all special legishalion, in furtherance of schemes of private profit, and will subject to a just and jesious scrutiny all laws by which any portion of the community are made the favored recipients of exclusive privileges.

The projectors of the proposed railroad have urged The projectors of the proposed railread have urged point the Committee the great public benefit which will result from the increased facilities to be furnished by this rew line of communication and travel. But the facts and statistics which are addreed to demonstrate the propriety and necessity of constructing new railread routes in the city, even if entitled to all the weight claimed for them, do not show the propriety or necessity of constructing them in the marner provided by the bill in question. If it be conceded that the right to build and equip a new road ong at to be given, it does not follow that it ought to be given for nothing, or without the consent or cooperation of others then those interested in the profits of the enterprise. It is evident that just in proportion to the demand which

motion the plans thus formed. They concede, by in motion the plans thus formed. They concede, by
the present application, that they can have no right to
these privileges, unless they are acquired by act of the
Legislature. Under existing statutes, as embodied in
the General Kailroad Law, passed in 1850, and the
act of 1854, above referred to, no such radroad could
be constructed, without the consent of the Corporation of the city, and of a majority of the owners of
property along the line. The object of the present
law is to authorize its construction without the consent
of either.

But even if it were proper to repeal both these laws, for the purpose of reaching the result thus aimed at, the question of compensation still remains. It is one thing to grant a privilege, and quite another thing to grant the means of using it; the present application is thing to grant a privilege, and quite another thing to grant the means of using it; the present application is not only for corporate powers, but also for actual cap-ital, that is, right of way, already graded, and ready for laying the rails; and the applicants have failed to show the propriety or justice of conferring upon them a franchise of such evident value, as a mere gift and bounty. Such a grant would be a palpable breach of trust, and a precedent which would offer a premium to speculation upon the basis of legislative favor. The proposed bill is, therefore, liable to the first and obvious objection, which appears upon its face, that

obvious objection, which appears upon its face, that it grants to private individuals a valuable franchise.

The bill is, also, in the judgment of the undersegr The bill is, also, in the judgment of the undersigned, objectionable, inasmuch as it is special legislation for an object which can be better attained under general laws. Section 8, of article 1, of the Constitution of 1846, provides that corporations may be formed under general laws, and that special corporations shall not be created, except for municipal purposes, and in cases where, in the judgment of the Legislature, their objects cannot be attained under general laws.

It is true that the whole subject is thus referred to the judgment of the Legislature, and, as we assume, to the judgment of the Legislature of any year; but it to the judgment of the Legislature of any year; but it must be presumed that this is to be a mas judgment, founded on all the facts and circumstances of each application, and in no case to be exercised where the objects proposed can be attained under general laws, either existing or capable of enactment. For example, the objects of a corporation formed for the purpose of navigating the ocean by steam coult be attained under an existing general law, "The steamship act," and a special charter would therefore be unnecessary; the objects of a corporation for the purpose of singler navigation, by some new motive power, of general laws, and the steamship act, and the steamship act, but the objects of a corporation for the purpose of singler navigation, by some new motive power, of general laws. sary; the objects of a corporation for the purpose similar navigation, by some new motive power, of general and acknowledged utility, could be attained under a new general law, to be framed for the purpose of regulating all similar enterprises, and, in the case supposed, a special charter would be equally necessary. The design of the framers of the Constitution, in this provision, was evidently to prevent the creation of corporations with special powers and privileys, and corporations with special powers and privileges, and to put all kindred associations upon an equal footing of corporate immunity, and limit them by equal re-strictions and safeguards. The debates in the Convention, in reference to the section, as well as its spe-cific terms, plainly indicate this wise and judicious in tent. In accordance with this provision of the Content. In accordance with this provision of the Constitution, we have the various general laws node stitution, we have the various general laws under which so many departments of private industry and enterprise are carried forward, and among them the General Railroad Law, passed April 2, 1850. This is a general law, under which all the leading objects of the provisions apply to the construction of railroads in cities. Subdivision 5 of section 28 provides that nothing in the act contained shall be construed to anothing in the construction of railroads and already located that the construction of railroads and already located. thorize the construction of railroads not already located on or upon any streets in any city, without the as-sent of the corporation of such city; thus, by implica-tion at least, authorizing their construction, provided such assent is procured. Other provisions of the law relate to the case of city railroads. See sub. 7, sees.

28 and 40, &c.
If it be suggested that the present General Railroad

for building city relivends which are now before the Legislature cannot be attained by a general law, to be framed with special reference to this subject. If railroads in the City of New-York are as important and necessary as is represented to us by their advocates, and are demanded by public interests to the extent and in the numbers indicated by the various projects offered for the consideration of the Legislature, they should not be created by separate and special charters, but a system should be devised and put into operation which would afford proper facilities for their construction wherever required, with proper safeguards for public and private interests, and proper guarantees of uniformity, in reference to the rights of the corporators and their modes of operation.

The proposed bill would, if enacted, be a striking example of the evils of special legislation on a subject which belongs properly, under our present Constitufor building city rellroads which are now before the

example of the evils of special legislation on a subject which belongs properly, under our present Constitution, to the sphere of general law. Previous Legislatures have already declared that, in their "judgment," two things should precede the establishment of any city railroad: first, the assent of the municipal corporation; and, second, the assent of a majority of the properly owners along the proposed line. If these interests are to be consulted in any case, they ought to be consulted in all cases of city railroads. There is no propriety in granting any one of the applications now before the Legislature, without such assent, more than any other: while to grant either, without it, would be to repeal the general set of 1850, and the set of 1851, and to leave out of view the provisions of the Consuto repeal the general act of 1850, and the act of 1851, and to leave out of view the provisions of the Constitution. There is no such urgeory in the matter, no such pressing and imminent necessity, as to require a hasty repeal of the acts in question, or an evasion of constitutional restrictions. The whole subject might more appropriately be embraced within the purview of a general law, matured in such a manner as to protect private and municipal rights, while it subserves those public interests of which the Legislature are the conservators.

conservators.

In addition the objections above considered, another, and in some respects a more serious difficulty, remains to be considered. It has been urged upon the Committee, by those who oppose the bill in question, that it is beyond the scope of legislative power to grant to individuals an easement or franchise in the public streets of the City of New-York, without the consent of the Corrections and the property owners on such of the Corporation and the property owners on such streets, or without compensation to them. These ob-jections have great force in themselves, and are apparently strengthened by the course of judicial dec-sion in resent cases involving the questions which they present. It is not the province of this Committee, or present. It is not the province of this Committee, or of the Senate, to adjudicate upon this or any of the legal points raised before them; and it might, perhaps, seem unnecessary to consider them, since parties aggreeved by the passage of this or kindred bills can apply to the courts for rederes. But in regard to a question of legislative power, it is due to the citizens of this State that they should not needlessly be driven into litigation, by assumptions of authority on the narrows. into higation, by assumptions of authority on the part of the Legislature, in matters of doubtful jurisdiction, where private ends are to be served, without any such controlling public good as to demand a sacrifice of in-dividual rights. It is, besides, proper to lay before dividual rights. It is, besides, proper to lay before the Sena's the present position of so grave a question, sufficiently to enable it to determine whether the bill before uslought not to contain provisions for procuring some further assent than that of the Legislature, or recurring proper compensation to those whose property or rights it may affect.

or rights it may affect.

We are asked to grant to certain private persons a right of way in public streets in the City of New-York. If the Legislature has the power to make the grant, it is only by witne of its right of emment domain over the property of its. is only by virtue of its right of emancal domain over the property of its citizens. Under this right, it can create railroads, and other reads, and, if need be, authorize the taking of private property for the purpose of their construction and use; but with this qualification, imposed by the Constitution, that such property cannot be taken for public use without competsation. It is claimed by the projectors of these city railroads that compensation has already been made to the adjacent owners, in all cases where streets have been connect under stantory provisions, and that the streets adjacent owners, in all cases where affects have been appeared under statutory provisions, and that the streets being already devoted to public purposes, no farther compensation is necessary; and that, in reference to all the streets of the city, their long dedication to public uses authorizes the creation of railroads upon them in furtherance of their original design and purpose, and as an improved facility for locomotion along their line, and further that the streets are owned by the corporation. tion as a government and the supreme power of the State can direct how they shall be used. To thus, it is State can direct how they shall be used. To tais, it is answered by the opponents of the bill, that the streets of the City of New-York, without exception, are owned either by private owners, subject to the easement of the public in them as streets, or (as in the great majority of cases) by the corporation of the city in trust, as public streets; that by special acts (chap. So, R. Laws of 1813, sec 178, 192), all the estate and title of the people of this State in all the public streets of the city, have vested in the mayor, aldermen and commonaity thereof, in trust, for use as streets or highways, that the use of the streets, by private individuacommonaity thereof, in trust, for use as arress or nigor-ways; that the use of the streets, by private individu-als, for railroad tracks, is not a use contemplated in the original design of the street; that it would be incon-sistent with, and a departure from, such design, and, consequently, that a legislative grant, authorizing such new and inconsisent easement, for the benefit of private persons, must be conditioned upon the consent or compensation to, the private owners or the cor-

those interested in the profits of the enterprise. It is evident that just in proportion to the demand which exists for the line, is the value of the right to construct and operate it. The more it is needed, the more it will pay. Thus the main argument used in favor of the grant is a reason for refusing it as a gratuity. If the franchise asked for is valueless, there is no propriety in bestowing it at all; if it is of value, there is no propriety in bestowing it as a gift.

The applicants for the grant in question do not claim any rights superior to those of other citizens of New-York. They propose to embark their capital and means in the prejected railroad, and ask for the privileges embodied in the bill, to enable them to set in motion the plane thus formed. They concede, by the streets not included in the "large portion" referred to by the learned judge, it is claimed, on the other hand, that the fee is in the owners of the land on either side, subject to the public easement in the streets as streets. Manifestly the fee is either in such owners, or streets. Manifestly the fee is either in such owners, or in the corporation in trust forever as streets, and the taking of it without compensation would be unjust; moreover, it seems proper that where citizens have been assessed for benefit in the opening of new streets through their property, by which its value was enhanced, they should, in some way, be compensated when the same streets are burdened with a new use, by which the value of their property may be diminished and their business facilities impaired. shed and their business facilities impaired.

The more practical, but no less difficult question The more practical, but no less difficult question, whether a rairoad is consistent or inconsistent with the original design or purpose of a public street, has also received opposite and conflicting answers from eminent judges in this State. By some it is regarded as coming directly and legitimately within the scope of the street or highway, being simply a superadded method of traveling, which modern invention has furnished to the public, and which finds its proper position on the public highway. These views are expressed by Judges Jones and Edwards in the case of Drake agi, The Hudson River Railroad (7 Barbour, 508), and by Judge Edwards in that of Milhau agt. Sharpe, (15 Barbour, 193). Precisely opposite ground is taken by Judge Demo, in the case of Davis agt. The Mayor, &c., (4 Kernan, 501); and by Judge Selden in Williams agt. New-York Central Railroad Company (16 N. Y. Reports, 97. A few extracts from the two cases last cited will be appropriate:

"A railroad," says Jadge Demo, in Davis agt. The Mayor, 4

"A railroad," says Judge Denio, in Davis agt. The Mayor

"A railroad," says Jadge Deulo, in Davis agt. The Mayor, 4 er., 50, "bas no necessary relation to, or connection with, a common highway or street. It may be laid along the surface of such a road where the grade will persol; it, but it may equally real road where the grade will persol; it, but it may equally real road where the grade will persol; it, but it may equally real road to the property of the surface and the highway can do not a very coincide, the circumstance is simply soudental. They are experted and distinct agencies to facilitate passage and traffic lighting from each other in many securitial particulars. The bleet of a highway or street is to afford to every citizen an operationly to pass on foot, or with his bores and carriages can one locality to another; and it is essential to the logal idea fouch a road that it shall be common to all."

'Now, a railroad does not facilitate travelling on foot or on orsebank, or with order own carriages. It does not generally dust of the embods of passage, although, where the railroad arriages are not moved by the power of steam, but by horses, tracks, where they do not rise above the street level, may entainly engaged to their own cashing lengthwise. This is, however, only incidental, and not necessary feature of a railroad. These who mas a railroad for a proper purposes do not travel according to their own olitios, but are transported, like freight or bagsage, when the proprietors in their own vehicles. But the foreign to assist mention of ordinary highways and street is, that the former as a strict monopoly, entirely according all sies of competition, travels, we have who will so upon a railroad must take the seat to the g carriages. adge Selden uses the following language (16 N. Y.

since Serioch uses the following tanguage (10 A. 1. ep. 17):

"The only planethle ground which can be taken is that which as assumed in the care of The Prechylerian Society of Winters via the dalure and Rochester Radrend Company (supra), of which has also been assumed here, via: That to converge alway into a relined inch is no material change in, or engement of the uses to which it was originally dedicated, that construction of a rethred along a highway is shipply one of a modes of an complishing the object of the original dedicated via the construction of a rethred along a highway is shipply one of a modes of an complishing the object of the original dedicated via the two greates unbatterfally identical.

"Sut, is this assumption just? Are the two uses the same?"

"Sut, is this assumption just? Are the two uses the same? It has only difference consisted in the introduction of a new more power, it would not be material. But is there no distinction dive en the common right of every man to use unout the road a

r price? It may be said that the use of the road as a common highway law does not point with as much precision of detail to the construction and management of city railroads, as to railroads in the country, the question immediately arises whether the objects of the proposed corporations in ment? This cannot be denied, for that the latter extended in the triple of a railroad company, if it has the right to construct its track upon the road, also an ease-ment.

enjoyed, not by the public at large, but by a corporation-because in will not be provided that every man would have a right to go and by down his timbers and his iron ratis, and make a railroad upon a highway. Here, then, are two easements; one vected in upon a signway. Here, then, are two examinents one vested in the public, the other in the railroad company. These examinate are property, and that of the railroad company is valishbe. How was it sequired. It has cost the company's rething. The theory must be that it is carried out and is a part of the public examinent, and is, therefore, the gift of the public. This would not if it was given solely at the expense of the Public. But it is manifest that it is at the joint expense of the public and the owner of the fee. Ought not the latter, then, to have been con-suited?"

owner of the fee. Ough not the latter, then, to have been consisted?"

Turning from these points, we find that the Court of Appeals, in Davis agt. The Mostor (above referred to), has decided that the corporation of the City of New-York is not, by witne of its general power over the streets, authorized to grant, in the manner attempted in 1852, to an association of persons, the right to non-struct as demandation a railway on the streets, for the transportation of passengers for private gain; and such a grant, if made, is void. From that it is argued that the Legislature has the power, and that a like grant by act of the people of this State would not be void, even if it made no provision for consent or compensation as a condition pracedent to its enjoyment. But it seems difficult to maintain this proposition, when we consider that the people of this State have already, by solemn legislative acts, in the several laws for the opening of streets, &c., vested in the corporation, in trust for the citizens, all the right, tatle and tion, in trust for the citizens, all the right, title and claim in the streets, and that these streets are now held by the corporation, in their capacity of trustees, as property devoted to certain and specific uses, unless we are prepared to say that their occupation by pri-

as property devoted to certain and specials desc, dinces
we are prepared to say that their occupation by private corporations for railroad purposes is not a departure from such uses. If it is, then the Legislature has
no mere power to take excets for railroads, without
consent or compensation, than it would have to take
them for markets or arsenals.

To take private property in the City of New-York
for a street, it is necessary to make compensation; the
street thus taken continues to be property in the hands
of the corporation as a street just as much as it was
property in the hands of the original owners as land;
it continues to be private property, i. e. property of
the man cipal corporation, called the Mayor, Adermen and Commonally of the City of New-York, which,
though a public body in certain aspects, stands, in respect to its rights and duties relating to trust property,
on the same footing as individuals (Skehan agt.
Sbarp, 15 Barbour, 193). Can the Legislature take
this property and give to six or eight, out of the eix
or eight hundred thousend inhabitants of the city, a
new and peculiar casement or franchise in it, without
consent or compensation; Whatever may be thought
of the expension quantion respecting the difference beonsent or compensation ! of the general question respecting the difference be-tween a street and a railroad, there is certainly a plain difference between the right of the public to use a afreet indiscriminately and the right of a small num-ber of persons to maintain a railroad on it. Can such a private franchise be carved out of a public right of way without consent or compensation?

In this view of the subject there is, therefore, no lit-

doubt resting upon this question of legislative. The undersigned do not undertake to pass up er. The undersigned do not uncertake to pass upon it; they simply present it, so that wise and judicious ac-tion may be taken. Hasty legislation on so important a subject would be impolitic and unsafe. Grants which it seems proper to make this year may appear improper a year hence. The whole subject should be considered in all its aspects, and settled upon a ba-sis which will secure the rights of all concerned in it. sis which will secure the rights of all concerned in it.

The great importance of the question, and the magnitude of the interests which it affects, have induces the undersigned to give to it so extended a consideration. They are of opinion that instead of enacting the proposed bill, or further considering the various special projects now before the Legislature for railroads in the City of New-York, such products are, as above stated, more properly subjects for a general law, and they respectfully suggest the following as the leading provisions which should be incorporated in such a

1. Similar requirements as to organization, capital,

the general railroad law.

2. Suitable provisions to prevent injury to persons and property in the construction of the roads and their operation.

3. Such regulations as to locating the route, &c., as

3. Such regulations as to locating the route, &c., as

to afford notice and opportunity for objections, if any

4. The consent of the corporation, and the sile of the franchise under proper supervision, so as to create a revenue to the city, and thus compensate the corpo-ration where the fee of the streets is in them as trustees for the public; and where the fee is in private owners, subject to the public easement (if any such case exists), compensation to them for the burden and njury created by the appropriation of the street to

PESIDENT JEFFERSON'S GUNBOATS.

By permission of Commodore Kesrny an d the polite ness of a friend, The Journal of Commerce has been furnished with copies of the following correspondence between Commodores Stewart and Kearny in relation to President Jefferson's gunboats. By act of Congress, Feb. 28, 1803, 15 gun boats were ordered to be built; by act of March 2, 1805, 25 boats were ordered; by set of April 21, 1806, 50 boats were ordered; and by act of Dec. 18, 1807, 188 boats were ordered, making

act of Dec. 18, 1807, 105 boats were stated in all 278 boats:

WILLARD'S HOTEL,
Washington, D. C., Feb. 22, 1850.

To Charles Stewart, 1892, Commonore:

In reading the speeches and comments made in relation to the acquisition of Cobs, I have been struck with the fact that no mention is made of the intention of Mr. Jefferson to make a descent upon that island before the war of 1812, and for this purpose had caused we the war of 1819, and for this purp to be built a large number of gunboais, afterwards so much ridiculed as useless. Nor do I now recollect ever having heard the true object which Mr. Jefferson

ever having heard the true object which Mr. Jellerson had in view in his gunboat system, except from yourself, if my memory serves he.

My object in writing at this time, is to elicit from you a statement of your knowledge of the purpose of Mr. Jefferson in building those boats, as disclosed to you at that time, by the President himself; and in order to be certain that I did not misunderstand you, I will endeavor to recall a subject of conversation we had some eight or nine years ago at the National Hotel, in

will remember that in the year 1807, shortly af-You will remember that in the year too, and ter the affair of the Chesapeake and Leopard frigates, many young men sought to obtain midshipmen's warmany young humble sermany young men sought to obtain midshipmen's war rants in the Navy. Among the rest, your humble ser vant received one, and while expecting to be sent to sea in pursuit of an enemy, and in defence of the flag so dear to every American boy, I was employed on gunboats in New-York harbor, not in guarding the shores of my native land, but exclusively engaged in the performance of a kind of police duty under the non intercourse and embargo acts, in "bringing to" and searching vessels of my own countrymen, while shuttling the door of commerce in the face of Eng-leve.

I well remember the rebukes this sort of service brought upon the gusboat navy, and those engaged in it, and the epithets used in derision were in no wise choice that assailed, personally, us in those days. I always thought that I had more than my share of that kind of duty imposed upon me, and that I had not a fair chance for distinction in the earlier years of the control of the c

my naval life.

Bi On the occasion to which I allude, at the National Hotel, while in conversation with you, I was complaining of what I considered the unjest treatment that I had encountered, in being kep, so long on duty in had encountered, in being kept to long on daty in these gunbeats, at once triseome to me, and distaste-ful to the people, and the officers and men on board said boats; and I was condemning the whole gunboat system from stem to stern as insufficient, and almost useless as a coast guard, or for offensive operations against an enemy, and was lamenting what I conceiv-ed to have been a total waste of the best years of my life is the News

life in the Navy.

Now, my dear Commodore, it was on that occasion you teld me the gunboats were not intended as a cosst guard, rer for the usual purposes of naval warfare, but really intended for a descent on the Island of Cuba, with a view to its occupation or annexation to the United States; and at the same time you recalled to United States: and at the same time you recalled to my mind a fact that there were then some hundred and sixty or eighty gunbosts in all built, and stationed along the coast from Maine to Georgia, apparently as a coast-guard, and that they were so stationed really with a view to deceive foreign powers as to the pur-pose for which they were intended; that they were gradually brought to our Southern coast, until there were several flotillas in those waters preparatory to the intended attack upon Cubs, so that but for the transpiring of some event, possibly the approach of hestilities with England, growing cut of the orders in council, and impressment of our own seamen upon the council, and impressment of our own seamen upon the high seas, and the "Chesapenke affair," the scheme of Mr Jefferson for the acquisition of Cuna would have been carried out, and Cuba would have been ours. In concluding this long communication to one whose heart, ever warm to the honor and interests of a country he has so long, so ably and so successfully served, no spolegy is becessary. I but submit it, asking permission to make public such facts as you may think of any importance its history in your reals.

any importance (to history) in your reply. I am, very respectfully, your obedient servant.
(Signed) L KEARNY.

BORDESTON, N. J., March 3, 1859. same subject. I have not received your letter of Fri day last, but presume it is on the way. You probably allude to a letter you wrote me dated Feb. 22, ult., making inquiry in relation to President Jufferson and

his gunboate. To this latter I could not immediately reply from disability of my right arm from a boil. I am now able to use it again, and I answer you, my old and sterling friend, as to our "little navy" thus:— What you say you heard me relate on that subject is correct, and the history of thing is this: In our attack on Tripoli in 104 under Commodore Preble, we had the use of six gunboats, loaned to our service by the Kirg of the two Scilles, their construction, however, being designed only for the defense of Naples Bay, and the Islands therein; they were clamsy, inactive vessels, bad to sail, bad to row, and bad for our small vessels, had to sain, had to two, and had no our stands vessels to tow in a high wind and rough sea, but when orce get under their batteries for action, they proved most efficient and powerful sunillaries, sgainst perma-nent works of opposition, and being small themselves as an object to fire at. At the point blank range of a 14 pounder, they were hard to bit; at a little shorter or bottomiers places, or where a ship could get anchorage and springs on her cable, they were almost useless; but where a ship became a fixed object, by calms or grounding, they were then most efficient for cutting

them to pieces, and compelling a surrender.

Commodore Preble wrote strongly to the Government of the United States to send him a dozen of them, of such construction as would enable them to navigate the Atlantic and the Mediterranean Sea in safety, and capable of being moved with facility, with wind or oars; this was done and the first twelve were constructed of the construction of t

capable of being moved with facility, with wind or oars; this was done and the first twelve were constructed and sent out. One only was lost out of that number, and they would have proved all that could be wisned, had they been used at Pripoli.

The appropriations for the gueboats built afterward was obtained from Congress, under the pretent of harbor defenses; at that time 1896 189 boats were built and building. I have seen since in Mr. Jefferson's first published letters, that as war was at that time almost inevitable with Spain, he had intended them especially for an attack on the Island of Coba, as the most efficient means of blocksting all their outports, and for the attack of their protenting batteries. I presumed at that time the intended war against Spain grew out of our extensive claims on that country, for our deprivation of the right of deposit at New-Or leads, granted by Spain is 1735 in perpetuity to the interior con merce of the United States. I well recollect that in consequence of Mr. Jefferson's having in his message to Congress, at the session of December, 1805 recommenced something like a war on Spain, which he at the same time counteracted through 'a back door message' (as Mr. Randolph's deserting him and making a violent opposition speech, against him, and his double policy. Randolph was then I think, Chairman of the Committee of Finance in the then Congress. The letter I refer to, I may have seen among the correspondence Mr. Jefferson had with Mr. Marzza of Leghorr, who put into my bands all the letters of Mr. Jefferson, addressed to him after our revolutionary war had terminated, up to 1807. It was then engaged on a voyage to Calcutta—was collecting her funds in Spanish dollars, and selling her cargo from Philadelphia. It was among those letters and the provided of the cargo from Philadelphia. It was among those letters and the cargo from Philadelphia. It was among those letters lecting her funds in Spanish dollars, and selling her cargo from Philadelphia. It was among those letters of Mr. Jefferson that I saw his reasons for not entercarge from Philadelphia. It was among those letters of Mr. Jefferson that I saw his reasons for not entering into the views of the Emperor Paul of Russia, who, when about to make peace with the Sultan of Turkey, proposed to Mr. Jefferson to insert in the treaty an article to open to the flag of the United States the commerce of Turkey in Europe, and that of the shores of the Black Sea, provided the United States would accredit a Minister to and from the empty of Turkey and that of Passia. It strok was hand maid to agriculture and manufactures," as well as strong friends in those two powers, for the promotion of our relations with those of Tanis, Tripoli

You see I have given you a "Roland for your Oli-rer." Truly yours, C. L. STEWART.

## MISCELLANEOUS.

John McMahon, who debanched the youngest daughter of Stephen Overby, and then mardered her father in an affray, was sentenced at Knoxville, Tenn . last week, to be hung on the 27th of May next. The prisoner listened unmoved until the sentence of death was pronounced, and then gave way to a flood of tears, and lond wailing of despair.

EXTRA JUDICIAL PROCESPINGS IN ALABAMA.-A Extra Juncial Processins in Alabama.—A strange organization was inaugurated by a large public meeting, at Codar Grove church, Bibb county, Ala., the 28th elt. Our cotemporaries call it a "Vigilence Committee," and all good and honest men of that and adjoining counties, who are in favor of pears, quiet and good order, are invited to become members of it. And for this purpose a book has been opened in which citizens are to enrell, heir names, and those thus enrelled are to constitute what is called a general committee. The chairman of this committee is clothed with nower to call a meeting of the same "at any committee. The charman of the committee is clothed with power to call a meeting of the same "at any time and place be may see proper." Moreover, "if as many astwenty shall arremble in obedience to such call, they shall form a quorum for action," and in the absence of the regular chairman may appoint a temporary one for the transaction of nusiness. The nature of the business is clearly set forth in the following resolution.

solution: Remired, That whenever this Committee, so assembled by the call of the Chairman, or at my of their regular meetings, abail by a resolution passed denounce any man as a bad man and unworthy to reside among honest men, that then it is proper for such man to be expelled from the neighborhood; and that any person or persons who may, by mild means if possible, and stern means if necessary, compel such man to move, shall be entitled to the thanks of the commentity at large.

But this is not all. The Chairman of the aforesaid General Committee is anthonyized to nominate at the

General Committee is authorized to nominate a "Se-cret Committee" of not less than five nor more than fifteen "good and true men," whose duty it shall be to by the General Committee, to leave the community.

This "Secret Committee" is to be constituted by the
Chairman of the General Committee "that he himself, any one outside of it, shall not know" who are members thereof. It is clothed with power to t its own Chairman and to arrange its own place faction. It is also to hold its meetings secretly and oact secretly, the members thereof using "such disguises as will effectually prevent disclosure of their persons."

Sale at the Residence of the late P. Barton Key.—The administrator's sale of the furniture and household effects of the late P. B. Key, was commenced at Washington on Friday, McGuire & Cobeing the auctioners. The Star says that at the hour, a number of earnages were drawn up before the Key house on C street, and indoors a goodly assemblage, the ladies largely in the predominant, was gathered in the parlors or streaming up and down the staircases. Some disappointment was expressed by the ladies, in the fact that the house was much more plainly furnished than was anticipated, especially the lower rooms. The furniture of some of the upper rooms, however, made amends in its solid manageay respectability.

Mr. Key's chamber, fronting on C street, was fornished with rather Spartan like simplicity—a plain bed, medium sized cheval glass, small mantle clock, &c., saidthe walls adorned with a single print—Fanny Eilsler. SALE AT THE RESIDENCE OF THE LATE P. BARTON

In the chamber above this, a curious group were In the chamber above this, a curious group were overhauling the contents of a small closet, which held the military (captain's) equipments of the deceased—a pair of old-fashioned brass horse pistols, a handsome sword, and on a lower shelf a hat-box, containing the well-remembered "Montgomery Guards" cap worn by him when in commend of that company. In a rocess by the closet swood a fire rifle, with barrel sights.

In the nursery, much attention was attracted to a beautiful miniature house, some five feet in hight, and which, with its tiny green blinds, carpeted rooms, and

which, with its tiny green blinds, carpeted rooms, and curtained and glazed windows, must have been the marvel and delight of the children for whom it was CHARGE OF ROASTING A MAN ALIVE .- A case in-

volving circumstances of unparalleled strocity is re-ported in a foreign paper. Two engineers of a steam ported in a diverge paper. Two deglections a security of the property of the many were recently brought up before a police magistrate in Liverpool, charged with roasting one of the "coal passers" to death. It appeared that the decessed, overpowered by the heat of the hold, had given out, and laid himself down on the deck, unable to work. The chief engineer sent him below, and to work. The chief engineer sent him below, and to work. The chief engineer sent him below, and caused him to be tied to a ladder between two furrace doors, within two and a half feet of one fire, and within three and a half feet of the other. The fires were lighted, were raging fercely, and were renewed twice while the man remained tied. One of the witnessess said he himself could not stand the heat three minutes, and he could not stand the heat three minutes, and he shipped as a sicker. The victim of this babarity prayed to be released but was confined half an hour, at the end of which time he was carried to the forecastle; before the rent watch he was thrown overboard, and one of the witnesses, the man who cut him from the lacder, thought he was dead before he was removed from the fire. The names of the engineers are John Buchanan and Archibald Mitchell. The name of the deceased was Thomas Landon. The vessel was the Boccta. Mitchell was committed without Pictures -At & recent sale in Charleston, Wash-

Gross Sat River, each action of the subject is from one of Mrs. Radchiff's novels, brought \$3.011.

A LOBBY SCENE IN THE MAINE HOUSE OF REPRESENTATIVES.—Our Augusta (Ms.) correspondent, says The Boston Transfer, fursishes the following account of a late incident in the Maine Legislature:

Quive an affray was nipped in the bud at the lobby of the Hall of the House of Representatives, on Saturday morning last, before the hour of meeting. Perhaps you are aware that a very heated debate has

been going on for a few days past in relation to the Arocetock Railread, Mr. Pike of Calais against it, and Aroustock Railread, Mr. Pike of Calais against it, and Mr. McCrillis of Banger in favor. John A. Poor of Portland, who is a strong advocate of the road, was in Portland, who is a strong advocate of the road, was in argument with Mr. Pike, when some strong language was used, accompanied by a gesture of the arm of Mr. Poor, which a sedectailly hit Mr. Pike, when an encounter cuseed, but was checked at once by the interference of friends of the parties. Both gentlemen regret their rashness, and nothing of the kind will be likely to occur again this session. Mr. Pike, you are aware, is husband of the amiable and talented author of ide May and Agnes.

A Wandering Printer.—Karl Ungling, a journeyman printer, died at Detroit, a few days ago, after wandering over a large portion of the world. According to The Okio Statesman, he was banished from Baden, Germany, for participating in the revolution of 1818. He reached the United States just in time to volunteer in the Maxican war, and was wounded and

Bader, Germany, for participating in the revolution of issis. He reached the United States just in time to volunteer in the Mexican war, and was wounded and disfigured for life at the battle of Buena Vista. After the war, he traveled from Maine to Louisians, and to the frontiers of civilization, as a journeyman printer; commenced the first German paper ever published in San Francisco, subsequently joined a theatrical company in Cincinnati, and was everywhere known as a scholar, poet, musician and wit. He never remained long enough in one place to call it his home, but wherever he went he left friends who admired his extraordinary talents and his characteristic vagaries. wherever he went he left friends who admired his ex-traordinary talents and his characteristic vagaries. He could spin a yarn, write a peem, nake a speech, sing a sorg, bring a melody from a guitar, or tip a glass of lager beer with unequaled spirit and cosmo-

glass of lager beer with unequaled spirit and cosmopolitan elegance.

Theordy is New-Orleans, Antoine Cambre killed a
Spaniard named Manuel Scarer. The homicide was
committed during a desperate fight between the
perties. The Coescent says:

"The Louisians ball-room is one of those places
which have established themselves as permanencies
in all maritime cities, and which is permitted to crist
only under the most stringent police regulations, and
with the consent of such respectable people as may
reside in the neighborhood. Man most noted for their
cool courage, physical strength and police experience,
are generally selected to preserve the peace at such
places, and Cambre was employed as commissary of
the Louisians ball for his possession of all the above
qualifications. Every one visiting the Louisians ball
is felt and rearched for weapons, by an officer specially quantizations. Every one visiting the linearian of the fit and searched for weapons, by an officer specially employed for that duty, no weapons of any kind being allowed in the room. How Saarez got in with his resor, is a mystery which the examining officer alone can explain, if anybody."

Taking an Oath with Gloven Hand.—A good deal has been said lately in England, upon the decision of Mr. Baron Bramwell, at the last Laverpool assizes, touching the form of taking an oath. The learned Baron ruled that there was no law or obligation to take off the glove when an oath was taken, and he accordingly precived an oath from a page who hald Baron ruled that there was no as was taken, and he accordingly received an oath from a person who held the Bible in a gloved hand. In the Insolvent Debtors Court, on the 2d inst., a similar matter turned up; and Mr. Commissioner Murphy, who presided, said he was aware of the decision of Mr. Baron Bramwell, but he thought it better to adhere to the old custom, as the touch of the Holy Book was, in his opinion, to be by the naked hand, and they all knew that when the krights were sworn they always took off their gauntlets. The opinion of the Commissioner was acquieseed in by the ber, as respectful and impressive, and on these grounds desirable, even though a legal authority to perform the act with an ungloved hand could not be shown.

Fools Not ALL DEAD.—Seven companies left our city yesterday for the mines. Some were well pro-

FOOLS NOT ALL DEAD.—Seven companies left our city yesterday for the mines. Some were well provided and will have a pleasant trip, others had a moderate outfit, and will probably get through in safety. But one company embraced an amount of fool hardiness we are pained to record. This company consisted of sixteen able hodied fellows with blankets, picks and pans strapped to their backs. Their entire lot of provisions consisted of 40 lbs. of crackers and a quantity of salt—the latter being barsly sufficient to preserve the former in case it was not eaten. On being asked how they appeared to make the trip of 500 miles with the former in case it was not eaten. On boning account, they expected to make the trip of 500 miles with their ridiculous outfit, one of them replied: "That's easy enough. We intend to kill enough game and sleep in barns." Verily the fools are not all dead.

[Leaves worth Daily Times, 16th.

LIABILITY OF RAILEOAD COMPANIES, -A judgment was affirmed at the General Term of the Supreme was affirmed at the General Term of the Supreme Court in Cincinnation the 11th inst., which is of interest to travelers and railroad companies. A gentleman purchased a ticket in Washington from a general agent of all the lines through to Cincinnati. When he strived his baggage was missing, and he subsequently sned the Little Miami Railroad Company for its value, and a judgment was recovered in the Court below. This was affirmed, upon the ground that the ticket was recognized by the defendants, which was sufficient by dence of the authority of the agent at Washington. There were no circumstances to show that there was a division or separation of contracts as to the various lines in regard to the passenger and his baggage.

lines in regard to the passenger and his baggage.

Pike's Peas Gold.—Mr. Wm. S. Walsh, fresh from
Derver City, has brought to Leavenworth \$400 worth
of gold dust, which he dug in twenty days with indifferent tools. Mr. Samnel Curtis, who left Feb. 16,
tells the editor of The Olmha Republican that a miner,
with rockers, will make from five to eight dollars
a day during the Summer, and from eight to twenty
dollars where water can be obtained from sluices. The
best diggings are on Cherry Creek, Dry Creek, Platte
River, and Vasunes Fork. Shot gold has been found hest diggings are on Cherry Creek, Pry Creek, Practice River, and Vasques Fork. Shot gold has been found on San Vrain's Fork. The old Californians at the mines, are satisfied with their prospects, and all feel confident that great discoveries will be made in the

ty and the Government opposed them, arguing that discrimination should be allowed. Heretofore all oks, except a comparatively meager lot of English pyrights, have entered free of duty, and the result copyrights, have entered free of duty, and the result of applying a duty will be to utterly break up the bookselling business in Canada. Nine-tenths of all the books read in the Provinces are manufactured in the United States, caused not less by the cheapness than the general better style in which the books are

THE LONG BRIDGE .- On Tuesday afternoon, a The Long Bridge.—On Tuesday afternoon, as three ladies, accompanied by some male friends, were crossing the Long Bridge, one of them suddenly disappeared to her waist through the flooring—a plank, on the end of which she had placed her foot, having tipped up and let her through. Fortunately for the lady, her crinolize extended beyond the limits of the aperture through which she had fallen, and it, together with her presence of mind in extending her arms, saved her from death. [Wash. States, 24th.

NOTHING NEW UNDER THE SUN.-An exceedingly Nothing New Under the Sux.—An exceedingly curious book has just appeared at Paris, from the pen of M. Edonard Fournier, the learned and witty feuillationist of La Patric. It is in two volumes, and is entitled "Old New" (Vicuntual). The author tries to prove that most of our boastest modern inventions and discoveries were in reality known already to the ancient Greeks and Romans, not to speak of the Egyptians and the inhabitants of the Celestial Empire.

RATHER RAPID .- The negro Henry, who murdered Mr. Wm. Watkins, in Carroll parisn, La., two weeks since, was captured on Sunday, taken to Lake Providence and tried on Tuesday, and hung on Friday. The Herald says fears were entertained that the murdarer ould be wrested from the officers was with a view o rning him at the stake, so great was the indigna

would be viscated from the stake, so great was the indignation of the people.

A Jail or Solid Rock.—The people of Calhoun County, Alabama, are building a jail, the first story of which is to be of solid rock, and no rock allowed there in less than three feet long, three feet wide, and eightthe street than three feet long, three feet wide, and eight-een inches thick. Every rock in the dangeon is to be deweled and the outside all hammer-faced. The lower story is divided into three rooms—one a dangeon, one for debtors, and one for females. Exonus or Shaves .- We learn from The Keekuk

Gate City, that a drove of seventy figitive slaves, from the northern counties of Missouri, passed through Burlington, Iowa, last Sanday morning, on their way to the land of Freedom. BRAVE GIRL .- Jane Bonesteel recently shot a wild

cat, and brought him down from a tree, near her father's house in the town of Martel, up North. The animal then grappled with her dog, when she joined in and pounded the "baste" until he was dead. The late James Allen, of Mississippi, left an estate worth about \$22,000 to Oglethorpe University. The Synod of Alabama, at their late meeting at Mobils,

resolved to raise \$15,000, to erect additional buildings for the accommodation of the students of the University. OUR FIRST DISENCHANTMEST .- The Havans Dia

ria de Marino says that the failure of the \$30,000,000 Cuban purchase bill, and the non-radification of the Case-Vriscarri treaty, may be considered as our first discuchantment as a progressive and expansive peo-

Five Persons Drowner.—In Ralls County, Mo., on Thursday of last week, Mrs. Rebecca Hayden, a widow lady, and her four children, while attempting to cross Sait River, were all drowned. They were in a buggy, which they endeavored to drive across the ford, when it opect.

PUBLIC MEETINGS.

BOARD OF ALDERMEN.

BOARD OF ALDERMEN.

MONDAY, March 28.—A communication was received from the Controller, as follows:

CITY OF NEW-YORK, DEPARTMENT OF FINANCE, CONTROLLER'S OFFICE, March 28, 1859

GENTLEMEN OF THE COMMON COUNCIL: The Controller begs leave respectfully to inform your homorable bodies of the measures adopted and course pursued by him since his accession to office, in relation to the books and accounts pertaining to the fiscal affairs of the Corporation.

the Corporation.

Owing to the confusion found to exist, it was deemed to books in this dwisg to to open an entire new set of books in this bepartment, and requisition was accordingly made for such books as were considered necessary, which have since been seelved. A limits (No. 1) was prepared, and coptes here of addressed to the several efforts of the Corporation, calling for information, substantially as follows: I. Is read to the books and accounts teen by them respectively. and to the books and accounts explicit when a follower he has a construction of the books and accounts explicit when respectively. 2. What periodical or occasional return of reports have bereadens existent made, by whom, and to whom made? 3. Requested superstions in regard to any improvements in the methods of constituting the business of the Corporation, and keeping the accounts thereof. 4. Directing that m onlying should be made in the forms of keeping and rendering the city accounts, until pre-cribed by this Benetrument.

the forms of keeping and rendering use using the by this Reportment.

A copy of said circular is herewith submitted.

The Controller happy in being able to report to your become be bodies that prompt and term satisfactory replies were cully received from the various Corporation officers to woom big circular No. I was addressed, in respect to the accounts kept and rendered by them.

In order to obtain proper starting points for the various absolute of revenue and income, the Science of Taxe, the Coleman of the C

In order to obtain proper starting points for the various abcounts of revenue and bosome, the Securer of Taxes, the Colector of Assessments, the Clerk of Arrears, and the Collector of
city Revenue, were severally called upon for statements in deail of the amecun's due the Corporation and in their hands resectively for collection at the commonsement of the present
scal year. The Receiver of Taxe, having completed his ascount of the taxes and arrears of Croins water rects remaining
no collected, transmitted a statement thereof same days since,
and has also prepared, in compliance with directions from this
filter, a duplicate set of the tax-books, showing in detail all the
terms of such taxes and Croins water tents, which is all that is
received for opening the proper accounts of this branen of
molices. e amount of taxes and arrests of Groton water rents un-ion Jan. I, 1839, in charge of the Receiver of Taxes, v

and may increase practice.

The Clerk of Arrears has not yet fully completed the account fall the Items of laxes and assessments in his hands on the let January, but has engaged upon it all the deviced force at his is resal, and it is expected to be finished very soon. of January, but has engaged upon it all the derical force at his disposal, and it is expected to be finished very soon. The amounts due for results outstanding and interest on bonds and mortrages in the bands of the Colector of City Revenue axes arready been reported to your bonorable badis. [See Doc. 15 of the Board of Aldermen, pages 11 to 19, inclusive.]

The Clerk of Arrears, who formerly made his returns and paid over to the Chamberain his collections weekly, now makes cally reports, and slso pays over all moneys collected by bing darks.

daily.

The Deputy Collectors of the City Revenue who have charge of the collections of Market rents and fees, have keretofore paid over their collections weekly, but from and after is: April they will be required to make daily returns; and the Collector of City Revenue will also pay over to the Chamberlain daily all.

of City Revenue will also pay very moneys received by tim.

The Controller is happy to state that he hopes to be able before long to get all the accounts of the Corporation in satisfactory condition, so far as it respects the current business, and also be prepared to undertake the adjustment of all such old matters as may require his attention. Respectfully submitted.

ROBERT T. HAWS, Controller.

Five hundred copies ordered printed in document

The Mayor vetoed a resolution to lay a crosswalk in Fifteenth street, because it was not accompanied with the ordinance necessary to create a lien on the

property.

In reply to a resolution calling on Chisf Eegineer Harry Howard to tell the city what has been the cost of keeping the steam fire engines in service, that functionary replied that he couldn't tell anything about it.

A communication was received from the Street Commissioner, requesting that estimates be made of the depth of water in the following named slips, owing to River, and Vasques Fork. Shot gold has been found on San Yrain's Fork. The old Californians at the mines, are satisfied with their prospects, and all feel confident that great discoveries will be made in the mountains.

Books.—The Canadian Parliament is intently engaged in investigating what may be taxed. The other evening in debating the Customs bill one member stated that the Bible was to be charged a duty of ten properly and the street, North River. Referred to the Committee on Wharves, Piers and Slips.

A communication was received from the Street. Commissioner's office, stating that, in order to comply with the Controller's request to furnish copies of all the uncollected items of assessment on the let of January, 1859, he would need two extra clerks; and theremon the least of the controller is the state of the controller in the con apon the Board was requested to authorize the em-ployment of the said clerks for two months, at a salary not to exceed \$100 per month. Committee on Salaries and Offices. Adjourned.

## BOARD OF COUNCILMEN.

BOARD OF COUNCILMEN.

A regular meeting of the Board was held yesterdag afternoon, Mr. Cornell in the chair.

The Excuse Law.—The resolution of the Board of Aldermen recommending the passage of a bill introduced into the Legislature by Senator Johnson, entitled "An act to suppress Intemperance, and to regulate "the sale of Spirituous Liquors," was received, and the bill referred to was read.

Mr. Ottarson moved that the resolution be amended by a suggestion to substitute the words "members of the Board of Councilmen' instead of "the Board of Aldermen," as the bill required that the controlling power over the Excise Commissioners should be vested in the representatives of Senatorial Districts in the Common Council. The members of the Board of Aldermen not being chosen by Senatorial districts, they were precluded by the provisions of the bill from having any control in the matter. The resolution as amended was adopted.

olution as amended was adopted.

New Fire Bell.—The report of the Committee on Fire Department authorizing the Street Commissioner to advertise for a new fire alarm bell for the bell-tower at Yorkville was concurred in.

at York ville was concurred in.

The City Inspector's Department.—Mr. Freak submitted an anendment to the ordinance to regulate the City Inspector's Department. It suggests that the Superintendent of Sanitary Inspection shall discharge the duties of the City Inspector whenever that functionary may be prevented by sickness of otherwise from attending to the duties of his office. It was laid over, and ordered to be printed.

Another Horse Overboard.—One of those numerous bills for loss of a horse, by backing off a pier, was presented. It came up on a report of the Committee on Finance in favor of paying Swith Brothers for loss of a horse, valued at \$125, which was backed off the pier foot of Broome street, East River.

After a few more remarks the report was recommitted by the Board. Acjourned to Thursday.

## BOARD OF SUPERVISORS.

Monday, March 28.—The Board met this afternoon, President Pugar in the chair, A bill of Norman McLeod, amounting to \$491 60, for supplies furrished the Eldridge-street Jail for the menth of February, was referred.

menth of February, was referred.

The Committee on County Offices reported in favor of paying the bill of Wm. J. Haskett (\$150) for services as Excise Commissioner, and \$200 for office rent.

Mr. KENNEDY remarked that it was expected the income of that Commission would at least pay its own. excesses, if the business was properly managed. It had better be abeliahed if it could not bring in sufficient to the County to pay the Commissioners' fees and office-rent. One of the Commissioners had not as yet handed in a bill for his services, for the reason that he did not consider them of sufficient benefit to the County; yet that Commissioner did as much service as the others. It was an understanding among the Commissioners, in the first place, that no officevice as the others. It was an understanding among the Commissioners, in the first place, that no officerent should be charged to the County, the Commissioners agreeing to meet at Mr. Haskett's law-office, for the purpose solely of obliging him, and to be an advantage to him by bringing business.

Mr. Tweed said this was a matter entirely new to the Committee, and as it was objected to be moved.

the Committee, and as it was objected to, he move that the paper be referred back. Carried. at the paper be referred back. Carried.

A resolution to appropriate \$50 to procur or clothing for destitute witnesses at the House of detention in White street was adopted. The Board adjourned to Monday next.